

SEP 15 2005

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

JOHN F. CORCORAN, CLERK
BY: *[Signature]*
DEPUTY CLERK

WINIFRED D. MALLORY,

Plaintiff,

v.

JO ANNE B. BARNHART,
COMMISSIONER OF SOCIAL SECURITY,

Defendant.

CIVIL ACTION No. 3:02-CV-00049

ORDER

JUDGE NORMAN K. MOON

This case was referred to the presiding United States Magistrate Judge for proposed findings of fact and a recommended disposition. Following a ruling on the merits, counsel for Plaintiff filed a Motion For Attorney's Fees. Specifically, counsel petitions the Court to allow a fee of \$4,500 for services rendered in the United States District Court for the Western District of Virginia as attorney for Plaintiff. The Commissioner advised the Court that she has no objections to the award of attorney's fees in this amount. The Magistrate Judge filed a Report and Recommendation, which recommended that Plaintiffs' counsel be awarded the amount requested for his court-related services. After a careful review of the entire record in this case, and no objection having been filed to the Magistrate Judge's Report within ten (10) days of its service upon the parties, *see* Fed. R. Civ. P. 72(b), the Court adopts the Magistrate Judge's Report in its entirety. It is accordingly this day

ADJUDGED, ORDERED, AND DECREED

as follows:

1. The Report and Recommendation of the United States Magistrate Judge, filed August 18, 2005, shall be, and hereby is, ADOPTED in its entirety;

2. The Plaintiff's Motion For Attorney's Fees shall be, and hereby is, GRANTED;

3. Counsel for Plaintiff shall be, and hereby is, awarded \$4,500 in attorney's fees, under the Equal Access to Justice Act, 28 U.S.C.A. § 2412, *et. seq.* (West 2000).

The Clerk of the Court hereby is directed to send a certified copy of this Order to all counsel of record and to Magistrate Judge Crigler.

ENTERED:

William E. Moran
United States District Judge

Sept. 15, 2005
Date